

thus, Chittipeddi et al. is unconcerned with connecting the dielectric layers provided thereon. Since the openings 307 of Chittipeddi et al. are for stress relief, the opening area may be very small. Thus, it becomes very difficult to fill the opening with insulating material to connect the layers through the openings when the opening area is very small.

Accordingly, claim 2 is not anticipated by Chittipeddi et al. Because claims 3, 6, 8, 13 and 14 depend from claim 2, claims 3, 6, 8, 13 and 14 also are not anticipated by Chittipeddi et al.

The December 3 Office Action in the parent application rejects claims 1-8 and 12 under 35 U.S.C. §103(a) over Ito et al. (U.S. Patent No. 5,847,466) in view of Chittipeddi et al.

Applicant submits that Ito et al. does not disclose or suggest a first insulating interlayer and a second insulating interlayer connected to each other through openings of a second conductive layer, a contiguous section of the first insulating interlayer and the second interlayer, is, thereby, formed between a first conductive layer and third conductive layer, as recited in claims 2 and 4. In fact, as the Office Action admitted, Ito et al. does not disclose or suggest a second conductive layer and a third conductive layer having openings.

Furthermore, Chittipeddi et al. does not disclose or suggest these features of claims 2 and 4 missing from Ito et al. As discussed above, Chittipeddi et al. is unconcerned with connecting the dielectric layers. Accordingly, even if combined, Ito et al. and Chittipeddi et al. do not disclose or suggest the features of claims 2 and 4. Accordingly, claims 2 and 4, and claims 3, 5-8 and 12, depending from claim 2, would not have been obvious over Ito et al. and Chittipeddi et al.

For at least the above reasons, Applicant submits that claims 2, 3, 6, 8, 13 and 14 are not anticipated by Chittipeddi et al., and claims 2-8 and 12 would not have been obvious over Ito et al. and Chittipeddi et al.

Furthermore, Ito et al., Chittipeddi et al., and Hara et al., alone or in combination, do not disclose or suggest a contiguous section formed perpendicularly between said first conductive layer and said third conductive layer, as recited in new claim 21.

Applicant submits that the application is in condition for allowance. Prompt consideration and due allowance are earnestly solicited.

Should the Examiner believe anything further is desirable in order to place the Application in even better condition for allowance, the Examiner is requested to contact Applicant's undersigned representative at the telephone number listed below.

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